

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE ETHIOPIAN AIRLINES FLIGHT
ET 302 CRASH**

DONNA MARGARET VECERE,
Individually, and as Personal Representative of
the Estate of MATTHEW THOMAS
VECERE, deceased, and on behalf of all
Surviving Beneficiaries,

Plaintiff,

v.

THE BOEING COMPANY, a Delaware
corporation;
ROSEMOUNT AREOSPACE, INC., a
Delaware corporation;
ROCKWELL COLLINS, INC., a Delaware
corporation,

Defendants.

Lead Case No.: 19-cv-02170

**SHORT FORM COMPLAINT AND
NOTICE OF ADOPTION OF MASTER
COMPLAINT**

DEMAND FOR JURY TRIAL

PLAINTIFF, DONNA MARGARET VECERE, Individually, and as the Personal Representative of the Estate of MATTHEW THOMAS VECERE, deceased, COMPLAINS OF THE DEFENDANTS AND EACH OF THEM AS FOLLOWS:

1. Plaintiff refers to and incorporates herein by reference the Master Complaint, and any and all later amendments thereto, filed in IN RE ETHIOPIAN AIRLINES FLIGHT ET 302 CRASH, as though fully set forth herein. Plaintiff hereby adopts the Master Complaint and agrees to be bound by any rulings with respect to the pleadings of the Master Complaint.
2. Plaintiff adopts each of the general allegations of the Master Complaint except for those paragraph numbers set forth here, if any: N/A

CLAIMS AGAINST DEFENDANTS

3. Plaintiff brings those Counts, as applicable, against each of the Defendants in the Master Complaint checked below:

- ☒ THE BOEING COMPANY
- ☒ ROSEMOUNT AEROSPACE, INC.
- ☒ ROCKWELL COLLINS, INC.

4. Plaintiff incorporates by reference each of the Counts in the Master Complaint checked below:

As against THE BOEING COMPANY:

- ☒ Count One for Negligence
- ☒ Count Two for Breach of Warranty
- ☒ Count Three for Strict Liability
- ☒ Count Four for Failure to Warn

As against ROSEMOUNT AEROSPACE, INC.:

- ☒ Count Five for Negligence
- ☒ Count Six for Strict Liability
- ☒ Count Seven for Breach of Warranty

As against ROCKWELL COLLINS, INC.:

- ☒ Count Eight for Negligence
- ☒ Count Nine for Strict Liability
- ☒ Count Ten for Breach of Warranty

PLAINTIFFS' INFORMATION:

4. Decedent, MATTHEW THOMAS VECERE, was an individual who was killed in the crash of Ethiopian Airlines Flight ET 302 on March 10, 2019.

5. The following Plaintiffs are heirs, beneficiaries, and/or next of kin of Decedent, or other persons entitled to bring an action for the wrongful death of Decedent, and bring the causes of action alleged herein:

DONNA MARGARET VECERE is the Personal Representative of the Estate of the Decedent entitled to bring claims on behalf of all surviving heirs, beneficiaries, and/or next of kin under applicable law(s)

6. Plaintiff is a resident of Mays Landing, New Jersey. Plaintiff's decedent was a resident of Long Beach, California.

7. Decedent's Estate is represented in the following capacity:

- ☒ DONNA MARGARET VECERE is the Personal Representative of the Estate of Decedent and is authorized to bring an action on behalf of the Decedent. The Superior Court of California, County of Los Angeles, has appointed plaintiffs as the Personal Representative on February 4, 2020:

☐ Other (please describe):

PLAINTIFFS' DAMAGES:

8. Plaintiffs request the relief checked below:

All past and future general and compensatory damages in an amount according to proof at trial, including the following:

- ☒ For Decedent's conscious and physical pain and suffering, fright and terror, fear of impending and imminent death, mental anguish, and emotional distress, in an amount according to proof at trial.
- ☒ For past and future loss of support and services in money or in kind, in an amount according to proof at trial.
- ☒ For past and future loss of consortium, love, companionship, comfort, care, assistance, protection, affection, society, moral support, training, advice, tutelage, and guidance, in an amount according to proof at trial.
- ☒ For past and future grief, emotional distress, and sorrow, in an amount according to proof at trial.
- ☒ For funeral expenses, burial expenses, estate administration expenses, and other related expenses in an amount according to proof at trial.
- ☒ For expenses for the identification and/or transportation of Decedent's remains, according to proof at trial.
- ☒ For all property losses, in an amount according to proof at trial.
- ☒ For attorneys' fees, costs and other damages as permitted under applicable laws.
- ☒ For punitive and exemplary damages in an amount according to proof at trial;
- ☒ For pre- and post-judgment interest on all damages as allowed by the law.
- ☒ For all costs of suit incurred herein.
- ☒ For such other and further relief as the Court shall deem just and proper.
- ☐ Other (specify):

ADDITIONAL ALLEGATIONS, IF ANY

9. MATTHEW THOMAS VECERE is survived by his mother, DONNA MARAGERET VECERE, and his sister Tomra Vecere. He was 43 years old when he died. Matt was a marketing writer and content provider for IQAir, a company specializing in air filtration systems and air quality monitoring products. He was traveling to Nairobi aboard Flight 302 to represent his company at a weeklong environmental summit sponsored by the United Nations Environmental Assembly (“UNEA”). Tragically, Matt was never able to address the members of the UNEA and share with them the cutting edge technologies that were available to help monitor and improve the air quality for people in countries like Nigeria, which suffers from serious air pollution issues.

Ever since Matt was a young man, he was passionate about the environment, civil rights, social and environmental justice, and advocating for those less fortunate. Simply put he was a humanitarian. His mother, Donna, says that helping others is what drove her son. For example, Matt dropped everything to travel to Haiti after the 7.0 magnitude earthquake struck in 2010. He would return many times to Haiti to help overcome the devastation and improve living conditions for countless victims. Matt gave his time, resources, boundless energy and passion to help the children of Haiti through the Sustainable Orphanages for Haiti organization. Matt was so dedicated to his work in Haiti that many children thought of him like a father, and were heartbroken by his loss. Just weeks before his death, Matt returned to Haiti to deliver some air cleaning systems. This led to IQAir recognizing his passion and skill for helping others and selecting him to present at the UN event in Nairobi.

Donna has been devastated by the sudden and senseless loss of her only son Matthew. Matt was a devoted son and they had a very close and loving relationship. Donna's grief, sorrow, pain and suffering are overwhelming and she will never be the same. Donna's suffering is compounded by the circumstances of the crash and how easily the defendants could have prevented it from occurring. Matt's death and the manner in which he died has

caused her severe grief and mental harm, in addition the loss of companionship, services and support from her son.

The manner in which Matt died is particularly distressing due to the terrifying nature of his final moments. Shortly after take-off, the aircraft began making noticeably unusual, alarming and uncomfortable movements in response to the erroneous AOA sensor and MCAS activations. During the last several minutes before ET-302 crashed, Matt experienced violent oscillations of the aircraft, which resulted in his fear of impending death, as well as physical and mental pre-death pain and suffering. Ultimately, Matt was exposed to extreme forces as the aircraft dove down towards the ground at speeds approaching 600 miles per hour during which time Matt surely knew he was about to die.

DEMAND FOR JURY TRIAL

PLAINTIFF hereby demands a trial by jury as to all claims in this action.

DATED: June 9, 2020

/s/ Todd A. Smith

Todd A. Smith

Brian LaCien

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